

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

RONALD ALVERSON
and SCS CARBON TRANSPORT LLC,

Plaintiffs,

v.

SPINK COUNTY, SOUTH DAKOTA et
al.,

Defendants.

No. 3:22-CV-03023-RAL

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

The challenged moratorium in this case—Spink County Resolution #22-24—was set to expire on July 19, 2023 by its own terms and under SDCL § 11-2-10. The Spink County Commission did not renew Resolution #22-24 and instead allowed it to expire. Therefore, in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties stipulate to the dismissal of this action without prejudice, with Plaintiffs and Defendants each to bear their own fees and costs.

[SIGNATURES ON NEXT PAGE]

DATED, this 28th day of July, 2023

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